Application No. 10/716,211 Amendment dated December 8, 2004 Reply to Office Action of September 8, 2004

## **REMARKS/ARGUMENTS**

Claims 1-19 are pending in the application.

By the present Amendment, the specification has been amended to add U.S. Patent No. 6,710,711 to paragraph number [0001], as requested by the Examiner.

In the Office Action, Claims 3, 16 and 18 were objected to due to a lack of antecedent basis for the phrase "each <u>periodic</u> simulation". By the present Amendment, Claims 3, 6, 15, 16 and 18 have been amended to remove the word "periodic". It is submitted that the claims, as amended, meet the requirements of 37 CFR 1.75(a).

Claims 1-16 and 18 stand rejected under the doctrine of obviousness-type double patenting over Claims 1-17 of U.S. Patent No. 6,710,711. Accompanying this Amendment is a Terminal Disclaimer over the 6,710,711 patent which obviates the double patenting rejection.

The Examiner's indication that no prior art rejections under 35 U.S.C. § 102 or 103 are considered appropriate is acknowledged with appreciation.

In view of the foregoing amendments and remarks, it is submitted that Claims 1-19 are patentable over the prior art of record. Accordingly, an early Notice of Allowance of this application is respectfully requested.

In the event that any outstanding matters remain in connection with this application, the Examiner is invited to telephone the undersigned at (412) 263-4340 to discuss such matters.

Respectfully submitted,

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